

Van Buren County Brownfield Redevelopment Authority Regular Meeting Minutes January 13, 2021

Meeting Host / Secretary-Treasurer at BRA Office, Suite 302, 219 E. Paw Paw St, Paw Paw MI 49079
All other attendees participated online from remote locations

Note for the Record—This meeting was held online using Zoom remote meeting software as authorized in the Michigan Open Meetings Act. The meeting notice and tentative agenda, including the Zoom Meeting ID Number and login instructions, were properly and timely posted on the county's website to allow public participation. Each Board Member who attended remotely announced upon the start of the meeting or upon subsequent arrival his/her specific remote location (municipality/county/state) as required in the Act.

Board Member Attendance Report										
Name	Position	Attendance Status	Declared Remote Location			Present	Present	+ Late	- Early	Present
			Municipality	County	State	Anytime	@ Start	Arrivals	Departs	@ End
Lisa Phillips	Chair	Attended remotely	Porter Township	Van Buren	Michigan	Yes	Yes			Yes
Jan Petersen	Vice Chair	Attended remotely	Hamilton Township	Van Buren	Michigan	Yes	Yes			Yes
Gail Patterson-Gladney	Member	Attended remotely	South Haven City	Van Buren	Michigan	Yes	Yes			Yes
Cynthia Compton	Member	Attended remotely	South Haven City	Van Buren	Michigan	Yes	Yes			Yes
Kate Hosier	Member	Attended remotely	South Haven City	Van Buren	Michigan	Yes	Yes			Yes
Sarah Moyer-Cale	Member	Attended remotely	Paw Paw Village	Van Buren	Michigan	Yes	Yes			Yes
Katie Strohauer	Member	Attended remotely	Kalamazoo City	Kalamazoo	Michigan	Yes	Yes			Yes
Zach Morris	Member	Attended remotely	Antwerp Township	Van Buren	Michigan	Yes	Yes			Yes
Dr. Patrick Creagan	Member	Attended remotely	Decatur Village	Van Buren	Michigan	Yes	Yes			Yes
				Count:		9	9	0	0	9
				Members Present:			9 of 9	9 of 9	9 of 9	9 of 9
				Quorum (Yes/No):			Yes	Yes	Yes	Yes

1. Call to Order and Determination of Quorum and Attendees

At 3:31 PM, by Chairperson Lisa Phillips, with attendees/absentees/remote locations/quorum status as stated above and as follows:

- a. **Board Members Present (9); Board Members Absent (0); Board Vacancies: (0).** A quorum (9 of 9) is initially present.
- b. **Staff and Others Present:** Secretary-Treasurer Wayne Nelson; numerous anonymous attendees.

2. Approval of Agenda--Motion by Compton, supported by Morris, to approve the prepared agenda. Approved by a vote of 9-0.

3. Approval of Minutes of Regular Meeting held December 9, 2020--Motion by Hosier, supported by Patterson-Gladney, to approve the minutes of the Regular Meeting held December 9, 2020. Approved by a vote of 9-0.

4. Public Comment—None

5. Secretary-Treasurer's Report--Nelson presented a written report with oral enhancements and action items as follows:

- a. **Invoices for Approval**--The following invoices were presented for approval:

Amount	Vendor	Invoice #	Invoice Date	Reason
EPA Grant Invoices:				
\$ 2,500.00	Envirologic Technologies Inc	07250	2021-01-11	153 W Commercial; Phase I, BEA/DueCare
142.50	Envirologic Technologies Inc	07251	2021-01-11	99 Walker; B-Plan
352.50	Envirologic Technologies Inc	07252	2021-01-11	Sherman Hills; Elig/B-Plan
105.00	Envirologic Technologies Inc	07253	2021-01-11	Programmatic
\$ 3,100.00	Envirologic Sub-Total			
-	(no other EPA Grant invoices)			
\$ 3,100.00	Total of EPA Grant Invoices			
158.89	Wayne Nelson-reimburse	61982216	2021-01-08	Zoom software to 1/8/2022
\$ 3,258.89	Total of All Invoices			

Motion by Compton, supported by Patterson-Gladney, to approve the above invoices totaling \$3,258.89 for payment. Approved by a vote of 9-0.

- b. **2021 Regular Meeting Schedule**—The Board reviewed the 2021 Regular Meeting Schedule as approved by the Board on December 9, 2020. Under the Open Meetings Act, the schedule should be confirmed at this first meeting of the calendar year. Motion by Hosier, supported by Moyer-Cale, to confirm the 2021 Regular Meeting Schedule and to direct the Secretary-Treasurer to properly post the schedule as required by law. Approved by a vote of 9-0.

6. Other Correspondence—None.

- 7. **Recess and Reconvene**—Numerous unknown persons entered the meeting in a coordinated manner and caused disruption of the proceedings. The meeting was recessed at 3:55 PM, after which the disrupting attendees were removed for breaches of peace actually committed at the meeting. Order was restored and the meeting was reconvened by the Chair at 4:12 PM. All Board members remained in attendance.

8. New Business—

- a. **LBRF Loan to Black River Enterprises LLC**—Nelson presented a proposal to send a demand letter to the borrower to bring the loan up to date. Motion by Compton, supported by Hosier, to direct the Secretary-Treasurer to send such a demand letter by certified mail with proof of delivery, and set the date for response from the borrower as 2/3/2021. Approved by a vote of 8 Yes, 0 No, 1 Abstaining, as Phillips announced a conflict of interest as she represented the borrower in the construction phase of the project.
- b. **Inquiry from Blue Fin Condominiums LLC**—Lisa Phillips announced that she had determined that the present tax capture and developer reimbursement can continue for up to the entire 30-year life of the Brownfield Plan, and that no further action is needed.
- c. **207 E Michigan Ave, Paw Paw; Rescission of Work Order #36**—Nelson placed a request for rescission of Work Order #36 in his report for this meeting. It was noted by Petersen that in January the Board had set this for action in March, so the matter was deferred until the March meeting.
- d. **No other New Business**

- 9. **Old Business—EPA Grant/Brownfield Plan Project Updates**—Consultant Erik Peterson was unable to attend the meeting, but passed brief comments through Secretary-Treasurer Nelson who gave brief verbal updates on EPA Grant and Brownfield Plan projects as follows:

- a. **207 E Michigan Ave, Paw Paw**—No update.
- b. **05585 Blue Star Hwy**—No update.
- c. **10336 Blue Star Hwy**—Erik has received a determination of functional obsolescence from the South Haven Charter Township Assessor, so plan finalization may proceed.
- d. **413 Delaware St**—No update.
- e. **153 Commercial Ave**—No update.
- f. **23944 Red Arrow Hwy**—Zach Morris noted that land clearing is complete.
- g. **67902 Red Arrow Hwy**—No update.
- h. **99 Walker Street in Lawton**—Mold remediation is apparently completed. Zach Morris added that the next Lawton Village Council meeting will consider Brownfield Plan support.
- i. **Sherman Hills**—The applicant has provided a signed Development Agreement but has not yet paid the application fee. Erik obtained a cost estimate for the state to provide historical project documents and is working with the applicant on that matter. The VBC Land Bank sent a status email on costs for State Land Bank Assistance. Cynthia Compton added that she is also working with the VBC Land Bank Chair and others on the project.

10. Other Business/Reports

- a. **Land Bank Report**—Cynthia Compton reported County Treasurer and Land Bank Chair Trisha Nesbitt is focusing on ways the VBC Land Bank can help facilitate Brownfield projects, particularly our Sherman Hills project.
- b. **Economic Development Corporation and Other ED Report**—Zach Morris stated that there is very promising news on a Mattawan business site.

- 11. **General Member Comments**—There were comments and suggestions on how better to secure remote meetings from disrupters.

- 12. **Adjournment**—All business being completed, the meeting was adjourned by the Chair at 4:35 PM.



Wayne Nelson, Secretary-Treasurer
Van Buren County Brownfield Redevelopment Authority



Wayne Nelson, Secretary-Treasurer
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2021 Regular Meeting Schedule

Regular Meetings of the Van Buren County Brownfield Redevelopment Authority will be held in 2021 as follows. Meetings will be held either "in person" or remotely using remote meeting software. It is the intention to hold meetings remotely as long as a state of emergency (for COVID or otherwise) remains in place and perhaps afterwards if allowed by Michigan law. Public participation and comment are allowed at all meetings.

Days/Dates/Times/Additional Purposes of meetings:

<i>Day of Week</i>	<i>Date</i>	<i>Time</i>	<i>Additional Purpose</i>
Wednesday	January 13, 2021	3:30 pm	Initial under Open Meetings Act
Wednesday	February 10, 2021	3:30 pm	
Wednesday	March 10, 2021	3:30 pm	
Wednesday	April 14, 2021	3:30 pm	
Wednesday	May 12, 2021	3:30 pm	
Wednesday	June 9, 2021	3:30 pm	Annual Meeting/Officer Elections
Wednesday	July 14, 2021	3:30 pm	
Wednesday	August 11, 2021	3:30 pm	
Wednesday	September 8, 2021	3:30 pm	
Wednesday	October 13, 2021	3:30 pm	
Wednesday	November 10, 2021	3:30 pm	
Wednesday	December 8, 2021	3:30 pm	

For Meetings held either totally or partially Remotely:

Refer to the website for the Authority at https://www.vbco.org/brownfield_meet.asp for detailed information on attending and participating in a remote meeting, including how to attend using a phone, PC, Mac, or other device.

Physical Place of all meetings not totally held remotely:

Board of Commissioners Room, 2nd Floor
County Administration and Land Services Building
219 E Paw Paw St
Paw Paw, MI 49079

The Brownfield Redevelopment Authority reserves the right to cancel any of these meetings if there would not be any items of business to consider or if a quorum would not be present. Please call Anna Cerven at 269-657-8253 or check the Authority's website at https://www.vbco.org/brownfield_meet.asp to check on any meeting changes.



If you want to attend a meeting and require a special accommodation due to impairment or disability, please contact Anna Cerven by phone at 269-657-8253 or email at <mailto:CervenA@vbco.org> so that we may do our best to arrange such accommodation.

Acronyms used in BRA Minutes:

<i>Acronym</i>	<i>Type</i>	<i>Meaning</i>
BRA or VBCBRA	Agency	Van Buren County Brownfield Redevelopment Authority
EPA	Agency	U. S. Environmental Protection Agency
EGLE	Agency	Michigan Department of the Environment, Great Lakes, and Energy
MEDC	Agency	Michigan Economic Development Corporation
VBC	Agency	Van Buren County
VBCBOC or BOC	Agency	Van Buren County Board of Commissioners
VBCEDC or EDC	Agency	Van Buren County Economic Development Corporation
BEA	Environmental Term	Baseline Environmental Assessment
DDCC	Environmental Term	Documentation of Due Care Compliance
ESA	Environmental Term	Environmental Site Assessment (as in Phase II ESA)
QAPP	Environmental Term	Quality Assurance Project Plan
ETI	Company	Envirologic Technologies Inc, the EPA Grant contractor
ED	General Term	Economic development
SEV	Property Tax Term	State Equalized Value-should approximate 50% market value
TV	Property Tax Term	Taxable Value-the value for property tax rate billing